



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

GAIL FARBER, Director

December 17, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

41 December 17, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**AMENDMENTS TO CONTRACT NOS. 75974, 75975, AND 75976 FOR
LANDSCAPE AND GROUNDS MAINTENANCE SERVICES FOR
ROAD MAINTENANCE DISTRICT 3 EAST, ROAD MAINTENANCE
DISTRICT 3 WEST, AND EAST LOS ANGELES STREET MEDIANS IN
THE UNINCORPORATED COMMUNITIES SURROUNDING WEST CARSON,
LADERA HEIGHTS, AND EAST LOS ANGELES
(SUPERVISORIAL DISTRICTS 1, 2, 3, AND 4)
(3 VOTES)**

SUBJECT

This action is to amend the contracts with TruGreen LandCare, LLC, for Landscape and Grounds Maintenance Services for Road Maintenance District 3 East, Road Maintenance District 3 West, and East Los Angeles street medians to extend these contracts on a month-to-month basis for up to six months until replacement contracts are awarded.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the services continue to be more economically performed by an independent contractor than by County of Los Angeles employees.
3. Approve Amendment 5 to Contract No. 75974 with TruGreen LandCare, LLC, for Road Maintenance District 3 East to extend the contract on a month-to-month basis for up to six months starting January 8, 2014, at a monthly amount of \$10,758 and at an aggregate amount of up to \$64,548 for the six-month period.

4. Approve Amendment 5 to Contract No. 75975 with TruGreen LandCare, LLC, for Road Maintenance District 3 West to extend the contract on a month-to-month basis for up to six months starting January 8, 2014, at a monthly amount of \$16,440 and at an aggregate amount of up to \$98,640 for the six-month period.

5. Approve Amendment 6 to Contract No. 75976 with TruGreen LandCare, LLC, for East Los Angeles street medians to extend the contract on a month-to-month basis for up to six months starting February 1, 2014, at a monthly amount of \$18,614 and at an aggregate amount of up to \$111,684 for the six-month period.

6. Authorize the Director of Public Works or her designee to increase the contract amounts up to an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contract, if required.

7. Authorize the Director of Public Works or her designee to execute the amendments upon proper execution by the contractor and approval as to form by County Counsel; to approve and execute amendments to incorporate necessary changes within the scope of work; to renew or not to renew the contract during this extension time; to issue a notice of nonrenewal if necessary; and to suspend work if, in the opinion of the Director of Public Works or her designee, it is in the best interest of the County of Los Angeles to do so.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to extend these contracts on a month-to-month basis for up to six months starting on January 8, 2014, for Road Maintenance District (RMD) 3 East, RMD 3 West, and starting on February 1, 2014, for East Los Angeles street medians, while the Department of Public Works completes the solicitation process for replacement contracts. The preparation of the solicitation began several months ago, but the need for extensive changes in the scope of work necessitated this extension. The extension of these contracts is necessary to ensure continuation of the landscape and grounds maintenance services in the unincorporated communities of West Carson, Ladera Heights, and East Los Angeles.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Fiscal Sustainability (Goal 2), and Integrated Services Delivery (Goal 3). The contractor who has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive and cost-effective manner will support Public Works in meeting these goals.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The requested amount for RMD 3 East is \$64,548, RMD 3 West is \$98,640, and East Los Angeles street medians is \$111,684 for the six-month period plus an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contract, if required.

Funding for these services, including 10 percent additional funding for contingencies, is available in

the First, Second, Third, and Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2013-14 Road Fund Budget. Funding for the 10 percent contingencies will be requested through the annual budget process.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Starting on January 8, 2014, for RMD 3 East and RMD 3 West and starting on February 1, 2014, for East Los Angeles street medians, these amendments will extend the contracts on a month-to-month basis for up to six months and supplement the contracts in order for Public Works to complete a resolicitation. The contracts are currently in its fourth and final optional year. All terms, conditions requirements, prices, and specifications of the contracts will remain unchanged.

Amendment 5 to Contract No. 75974 for RMD 3 East, Amendment 5 to Contract No. 75975 RMD 3 West, and Amendment 6 to Contract No. 75976 East Los Angeles street medians, which are substantially reflected in the enclosed form (Enclosures A, B, and C), will continue the contracts' current terms, specifications, and conditions. The Director of Public Works or her designee will execute the amendments in accordance with the Board's authorization and only upon proper execution by the contractor and approval as to form by County Counsel.

The contractor will continue to pay its full-time employees the current Living Wage Rate approved by the Board on February 6, 2007, and confirms that it will comply with the County's Living Wage reporting requirements. The County's Proposition A and Living Wage Ordinance (LWO) provisions apply to the contracts, as County employees can perform these contracted services. The contracts comply with all of the requirements of the Los Angeles County Code, Section 2.201. The contractor will continue to pay its full-time employees the required minimum rates of \$11.84 per hour without health benefits, or \$9.64 per hour with health benefits of \$2.20 per hour, as specified in the LWO adopted by the Board on March 15, 2007, and confirmed that it continues to comply with the County's Living Wage reporting requirements.

Using methodology approved by the Auditor-Controller, the Proposition A cost analysis indicates that the recommended contracted services continues to be performed more economically by the private sector.

Contract 75974 RMD 3 East

On December 19, 2006, Agenda Item 59, the Board approved Contract No. 75974 for landscape and grounds maintenance services for RMD 3 East, for an initial one-year period with four 1-year renewal options, for a total contract period of five years commencing on February 1, 2007, in the annual contract amount of \$97,300 for RMD 3 East with TruGreen Landcare, LLC, located in Gardena, California.

On January 8, 2008, this contract was amended to reflect the contractor's compliance with the increased Living Wage Program hourly rates for the current and subsequent option years of the contract. Under Amendment 1, the contractor's annual contract amount increased from \$97,300 to \$107,721 during the first option year of the contract.

On October 7, 2008, this contract was amended to expand the level of service to include the areas at Vermont Avenue and Avalon Boulevard. Under Amendment 2, the contractor's annual contract amount increased from \$107,721 to \$137,229 during the first option year of the contract.

On May 18, 2010, this contract was amended to increase the level of service to include the area at

Alondra Avenue. Under Amendment 3, the annual contract amount increased from \$137,229 to \$143,439.

On May 18, 2010, Agenda Item 35, the Board approved a 10 percent unit cost reduction with a two-year extension with this contractor. The cost reduction was retroactive to October 1, 2009, pursuant to the Chief Executive Office recommendation of February 1, 2010. Amendment 4 to this contract was executed on September 8, 2010. Amendment 4 reduced the annual contract amount from \$143,439 to \$129,096, and the contract was extended for a period of two years.

Contract 75975 RMD West

On December 19, 2006, Agenda Item 59, the Board approved Contract No. 75975 for landscape and grounds maintenance services for RMD 3 West, for an initial one-year period with four 1-year renewal options, for a total contract period of five years commencing on February 1, 2007, in the annual contract amount of \$187,348 for RMD 3 West with TruGreen Landcare, LLC, located in Gardena, California.

On January 8, 2008, this contract was amended to reflect the contractor's compliance with the increased Living Wage Program hourly rates for the current and subsequent option years of the contract. Under Amendment 1, the contractor's annual contract amount increased from \$187,348 to \$207,217 during the first option year of the contract.

On May 18, 2010, Contract No. 75975 was amended to increase the level of service to include the area at Slauson Avenue with a decrease in annual cost. Under Amendment 2, the annual contract amount decreased from \$207,217 to \$200,428.

On May 18, 2010, Agenda Item 35, the Board approved a 10 percent unit cost reduction with a two-year extension with this contractor. The cost reduction was retroactive to October 1, 2009, pursuant to the Chief Executive Office recommendation of February 1, 2010. Amendment 3 to this contract was executed on September 8, 2010. Amendment 3 reduced the annual contract amount from \$200,428 to \$180,386, and the contract was extended for a period of two years.

On November 29, 2011, Contract No. 75975 was amended to expand the level of service to include the areas of La Cienega Boulevard, El Segundo Boulevard, and Aviation Boulevard. Under Amendment 4, the contractor's annual contract amount increased from \$180,386 to \$197,269 during the contract's third option year.

Contract 75976 East Los Angeles

On December 19, 2006, Agenda Item 59, the Board approved Contract No. 75976 for landscape and grounds maintenance services for East Los Angeles street medians, for an initial one-year period with four 1-year renewal options, for a total contract period of five years commencing on February 1, 2007, in the annual contract amount of \$180,054 for East Los Angeles street medians with TruGreen Landcare, LLC, located in Gardena, California.

On January 8, 2008, this contract was amended to reflect the contractor's compliance with the increased Living Wage Program hourly rates for the current and subsequent option years of the contract. Under Amendment 1, the contractor's annual contract amount increased from \$180,054 to \$199,291 during the first option year of the contract.

On May 11, 2010, Contract No. 75976 was amended to expand the level of service to include the

areas at City Terrace Drive, Burger Avenue sound wall, and the pedestrian bridge at East Los Angeles Civic Center. Under Amendment 2, the contractor's annual contract amount increased from \$199,291 to \$244,772 during the contract's third option year.

On May 18, 2010, Agenda Item 35, the Board approved a 10 percent unit cost reduction with a two-year extension with this contractor. The cost reduction was retroactive to October 1, 2009, pursuant to the Chief Executive Office recommendation of February 1, 2010. Amendment 3 to this contract was executed on September 8, 2010. Amendment 3 reduced the annual contract amount from \$224,772 to \$202,295, and the contract was extended for a period of two years.

On August 27, 2011, Contract No. 75976 was amended to expand the level of service to include a vine landscaped wall on Second Street at Ford Boulevard. Under Amendment 4, the contractor's annual contract amount increased from \$202,295 to \$210,158 during the contract's third option year.

On December 3, 2013, Contract No. 75976 was amended to expand the level of service to include the areas of Eastern Avenue, Blanchard Street, and at Indiana Street walkway. Under Amendment 5, the contractor's contract amount increased from \$210,158 to \$212,287 during the contract's fourth and final option year.

ENVIRONMENTAL DOCUMENTATION

The proposed work is categorically exempt from the California Environmental Quality Act (CEQA). The work is within a class of projects that has been determined not to have a significant effect on the environment in that they meet the criteria set forth in Section 15301(h) of CEQA.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the amendments will continue the current contracted services.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

The Honorable Board of Supervisors

12/17/2013

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:GZ:cg

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office
Internal Services Department, Contracts Division
(w/o enc.)

AMENDMENT 5 TO CONTRACT NO. 75974

LANDSCAPE AND GROUNDS MAINTENANCE SERVICES FOR
ROAD MAINTENANCE DISTRICT 3 EAST

THIS AMENDMENT, made and entered into this ____ day of _____, 2013, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and TRUGREEN LANDCARE, LLC, a general partnership, (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75976 was entered into between the COUNTY and the CONTRACTOR on December 19, 2006, to provide landscape and grounds maintenance services for a period of one year with four 1-year renewal options commencing on February 1, 2007; and

WHEREAS, contracts awarded under this authority are subject to the provisions of the Los Angeles County Code, Sections 2.201.010 through 2.201.100 (Living Wage Program); and

WHEREAS, on February 6, 2007, the COUNTY Board of Supervisors approved increases in the County Living Wage Program's hourly rates; and

WHEREAS, the Board directed that all current COUNTY contracts subject to the Living Wage Program be amended to reflect the new rates when the contracts were either renewed for an option year or otherwise amended after June 15, 2007; and

WHEREAS, the COUNTY and CONTRACTOR entered into Amendment 1 on January 8, 2008, to provide for CONTRACTOR to pay its employees at least the newly approved Living Wage Program's hourly rates commencing on February 1, 2008; and

WHEREAS, starting October 7, 2008, the COUNTY and CONTRACTOR entered into Amendment 2 to expand the service area to include the areas at Vermont Avenue from Ashbridge Lane to 223rd Street, and Avalon Boulevard from Alondra Boulevard to 380 feet north of Compton Boulevard; and

WHEREAS, starting May 18, 2010, the COUNTY and CONTRACTOR entered into Amendment 3 to expand the service area to include the areas at Alondra Avenue from Avalon Boulevard to Haskins Avenue; and

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By _____
Deputy

TRUGREEN LANDCARE, LLC

By _____
Its Managing Member

Type or Print Name

AMENDMENT 5 TO CONTRACT NO. 75975

LANDSCAPE AND GROUNDS MAINTENANCE SERVICES FOR
ROAD MAINTENANCE DISTRICT 3 WEST

THIS AMENDMENT, made and entered into this ____ day of _____, 2013, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and TRUGREEN LANDCARE, LLC, a general partnership, (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75976 was entered into between the COUNTY and the CONTRACTOR on December 19, 2006, to provide landscape and grounds maintenance services for a period of one year with four 1-year renewal options commencing on February 1, 2007; and

WHEREAS, contracts awarded under this authority are subject to the provisions of the Los Angeles County Code, Sections 2.201.010 through 2.201.100 (Living Wage Program); and

WHEREAS, on February 6, 2007, the COUNTY Board of Supervisors approved increases in the County Living Wage Program's hourly rates; and

WHEREAS, the Board directed that all current COUNTY contracts subject to the Living Wage Program be amended to reflect the new rates when the contracts were either renewed for an option year or otherwise amended after June 15, 2007; and

WHEREAS, the COUNTY and CONTRACTOR entered into Amendment 1 on January 8, 2008, to provide for CONTRACTOR to pay its employees at least the newly approved Living Wage Program's hourly rates commencing on February 1, 2008; and

WHEREAS, starting May 18, 2010, the COUNTY and CONTRACTOR entered into Amendment 2 to expand the service area to include the areas at Slauson Avenue medians from La Cienega Boulevard to La Tijera Boulevard, and Slauson Avenue medians from Heatherdale Drive to east of Overhill Drive; and

WHEREAS, the COUNTY, in accordance with the motion passed by the Board of Supervisors on June 16, 2009, entered into Amendment 3 with the CONTRACTOR on September 8, 2010, to accept a 10 percent reduction in the Contract's Maximum Contract Sum in exchange for a two-year Contract term extension; and

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By _____
Deputy

TRUGREEN LANDCARE, LLC

By _____
Its Managing Member

Type or Print Name

AMENDMENT 6 TO CONTRACT NO. 75976

LANDSCAPE AND GROUNDS MAINTENANCE SERVICES FOR
EAST LOS ANGELES

THIS AMENDMENT, made and entered into this ____ day of _____, 2013, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and TRUGREEN LANDCARE, LLC, a general partnership, (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75976 was entered into between the COUNTY and the CONTRACTOR on December 19, 2006, to provide landscape and grounds maintenance services for a period of one year with four 1-year renewal options commencing on February 1, 2007; and

WHEREAS, contracts awarded under this authority are subject to the provisions of the Los Angeles County Code, Sections 2.201.010 through 2.201.100 (Living Wage Program); and

WHEREAS, on February 6, 2007, the COUNTY Board of Supervisors approved increases in the County Living Wage Program's hourly rates; and

WHEREAS, the Board directed that all current COUNTY contracts subject to the Living Wage Program be amended to reflect the new rates when the contracts were either renewed for an option year or otherwise amended after June 15, 2007; and

WHEREAS, the COUNTY and CONTRACTOR entered into Amendment 1 on January 8, 2008, to provide for CONTRACTOR to pay its employees at least the newly approved Living Wage Program's hourly rates commencing on February 1, 2008; and

WHEREAS, starting May 11, 2010, the COUNTY and CONTRACTOR entered into Amendment 2 to expand the service area to include the areas of City Terrace Drive at Herbert Avenue, City Terrace Drive pedestrian bridge at Marengo Street, Burger Avenue sound wall, and the State Route 60 pedestrian bridge at East Los Angeles Civic Center; and

WHEREAS, the COUNTY, in accordance with the motion passed by the Board of Supervisors on June 16, 2009, entered into Amendment 3 with the CONTRACTOR on September 8, 2010, to accept a 10 percent reduction in the Contract's Maximum Contract Sum in exchange for a two-year Contract term extension; and

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WHEREAS, starting August 27, 2010, the COUNTY and CONTRACTOR entered into Amendment 4 to expand the level of service to include a newly constructed vine landscaped wall on Second Street at Ford Boulevard; and

WHEREAS, starting December 3, 2013, the COUNTY and CONTRACTOR entered into Amendment 5 to expand the level of service to include two newly constructed landscaped medians on the northeast corner of Eastern Avenue and Blanchard Street and at Indiana Street walkway from Folsom Street to Floral Drive; and

WHEREAS, the COUNTY desires to extend the Contract on a month-to-month basis for up to six additional months at an amount not to exceed \$111,684 while the solicitation process for a new contract for this service is completed.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 75976 between them shall be amended as follows:

FIRST: The CONTRACTOR shall provide continuous performance of this Contract commencing on February 1, 2014, on a month-to-month basis up to the maximum period of six months, unless the COUNTY provides written notice of nonrenewal at least ten days before the last day of any month, in which case this Contract shall expire as of midnight on the last day of the month.

SECOND: This Contract's amount for the maximum six-month period for this service remains at the same monthly rates as provided in form PW-2, Schedule of Prices, of this Contract with an aggregate total of \$111,684 for the six-month period or the monthly amount of \$18,614 or such greater sum as the Board may approve.

THIRD: No cost-of-living adjustments shall be granted for the extended term of the Contract.

FOURTH: Except as modified by this AMENDMENT, all other terms, conditions, requirements, and specifications of this Contract shall remain in full force and effect.

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IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

JOHN F. KRATTLI
County Counsel

By _____
Deputy

TRUGREEN LANDCARE, LLC

By _____
Its Managing Member

Type or Print Name